

## REMARKS

Re-examination and allowance of the present application is respectfully requested.

Initially, Applicants thank the Examiner for indicating his consideration of the documents cited in the Supplemental Information Disclosure Statement filed on October 20, 2008. Further, Applicants note that although Applicants requested confirmation of the acceptability of the filed drawings, the Examiner has again not confirmed their acceptability. Accordingly, Applicants believe the filed drawings to be acceptable.

In the final Office Action, claims 1, 2 and 6-8 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent 5,120,420 to NANKAI et al. in view of U.S. Patent 6,576,117 to IKETAKI et al. Claims 3 and 9 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent 6,645,368 to BEATY et al. in view of NANKAI et al. and IKETAKI et al. Claims 4 and 5 stand rejected under 36 U.S.C. §103(a) as being obvious over NANKAI et al. and IKETAKI et al. and further in view of U.S. Patent 6,635,167 to BATMAN et al. Applicants respectfully traverse each of these grounds of rejection.

By the current amendment, Applicants amend independent claims 1 and 3 to clarify the claimed invention, cancel claims 2, 7 and 8 and submit new dependent claim 10.

According to a feature of the claimed invention, a power supply voltage is provided to each of a first working electrode and a second working electrode, and then a time interval is measured in which the time interval is from when an amount of current flowing in the first working electrode begins to be detected until when an amount of current flowing in the second working electrode begins to be detected. The measured time interval is checked to determine

whether it exceeds a predetermined critical range. When it is determined that the time interval exceeds the predetermined critical range, a message indicating an error of sample introduction is displayed.

Another feature of the claimed invention, resides in that the power supply voltage is provided to the first and second working electrodes when the measured time interval is within the predetermined critical range to measure the amounts of current flowing in the respective working electrodes, and concentrations corresponding to the respective measured amounts of current are read from a memory to calculate an average value of the concentrations. A message indicating an error in manufacturing of the working electrodes is displayed if a difference between the concentration and the calculated average value exceeds a predetermined critical value.

Applicants submit that at least these features are lacking from the applied art of record, either singularly or in the various combinations set forth by the Examiner. Accordingly, Applicants submit that if one attempted to combine the teachings of the various references in the various manners suggested by the Examiner, one would fail to arrive at the claimed invention, in which a time interval from when an amount of current flowing in a first working electrode begins to be detected until a time when an amount of current flowing in a second working electrode begins to be detected is measured, an error message is displayed when the measured time interval exceeds a predetermined critical range, the respective first and second working electrodes are re-supplied with the power supply voltage when the measured time interval is within the predetermined critical range to re-detect the amounts of current flowing in the respective first and second working electrodes, and checking whether a difference between a concentration read from a memory and an average value

exceeds a predetermined critical value to display either an error message or the calculated average value, as recited in independent claim 1.

In view of the above, Applicants submit that claim 1 is allowable over the applied art of record. Thus, Applicants respectfully request withdrawal of the 35 U.S.C. §103 rejection of claim 1, along with an indication of its allowability.

Applicants note that similar limitations are recited in independent claim 3. Thus, Applicants submit that independent claim 3 is allowable for reasons similar to that discussed above with respect to independent claim 1. Accordingly, Applicants also respectfully request withdrawal of the 35 U.S.C. §103 rejection of independent claim 3, along with an indication of its allowability.

Applicants note that claims 4-6 and 10 depend from claim 1, which is submitted to be allowable. Applicants submit that these claims are allowable for at least the reasons discussed above with respect to claim 1, and additionally, for the various features recited in each dependent claim. Thus, the Examiner is also respectfully requested to indicate the allowability of dependent claims 4-6 and 10. Claim 9 depends from independent claim 3, and is submitted to be allowable for at least the reasons discussed above with respect to claim 3, and additionally, for the combination of features recited in dependent claim 9. Accordingly, the Examiner is respectfully requested to withdraw the rejection of dependent claim 9 and to indicate its allowability.

#### SUMMARY

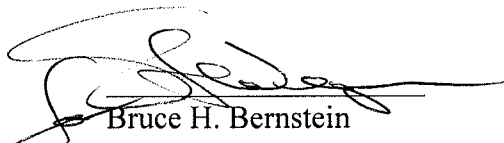
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have done so. Applicants have amended the claims to enhance clarity and have distinguished the claimed invention from the applied art of record.

Pursuant to M.P.E.P. §714.13, Applicants contend that entry of the present amendment is appropriate because the proposed amended claims avoid the rejections set forth in the last Office Action, resulting in the application being placed in condition for allowance, or alternatively, the revised claims place the application in better condition for purposes of appeal. Further, the revised claims do not present any new issues that would require any further consideration or search by the Examiner, and the amendment does not present any additional claims without cancelling a like number of pending claims. Accordingly, entry of the present amendment is respectfully requested.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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